



# Flood Control District of Maricopa County

## Flood Control Advisory Board

Meeting Minutes for October 23, 2013

**Board Members Present:** Melvin Martin, Chairman; Scott Ward, Hasan Mushtaq for Ray Dovalina, Ex Officio; Bob Larchick, Ex Officio

**Board Members Absent:** Hemant Patel, Vice Chairman; Dallas Tanner, Secretary; DeWayne Justice;

**Staff Members Present:** Tim Phillips; Wayne Peck, General Counsel; Amir Motamedi, Christopher Fazio; Scott Vogel; Patrick Schafer; Frank Brown, Karen Scott, Tom Renckly, Anna Medina; and Ed Raleigh.

**Guests Present:** Randy Harrell, Fountain Hills; Elliot Silverston, VRS; Nathan Ford, RBF; Brian Fry, JE Fuller; Scot Buchanan, Stanley; Brent Travis, West Consultants; Dennis Richards, Premier Engineering; Nasir Raza, Gannett Fleming; Geoff Brownell, Baker; Bob Hamelin, Dibble

### 1) CALL TO ORDER

Chairman Martin called the meeting of the Flood Control Advisory Board (FCAB) to order at 2:20 p.m. on Wednesday, October 23, 2013.

### 2) PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

### 3) EMPLOYEE OF THE QUARTER

Christopher Fazio announced the employee of the quarter, Sharon Rogers. Ms. Rogers is a contract specialist, handling contract administration, change orders, board agenda items and a variety of job sensitive duties. She was nominated by her co-workers to receive the employee of the quarter honor.

### 4) APPROVE THE MINUTES OF JUNE 26, 2013

ACTION: It was moved by Mr. Larchick and seconded by Mr. Ward to approve the minutes as submitted. The motion carried unanimously.

### 5) ELECTION OF OFFICERS

Presented by: Timothy S. Phillips, P.E, Chief Engineer and General Manager

Mr. Phillips explained that as customary, the slate of officers would transition. This would make Mr. Patel the Chairman, Mr. Tanner the Vice Chairman and Mr. Ward as the Secretary for the upcoming year.

ACTION: It was moved by Mr. Ward and seconded by Mr. Larchick to approve the minutes as submitted. The motion carried unanimously.

**6) APPOINTMENT OF FCAB STANDING COMMITTEES FOR 2013/2014**

Presented by: Timothy S. Phillips, P.E., Chief Engineer and General Manager

Mr. Phillips presented the appointments to the standing committees for the Advisory Board. Mr. Phillips reviewed the list of committees and their memberships: The Legislative Committee consists of Mr. Larchick and Mr. Patel. The Programs and Budget Committee consists of Mr. Martin, Mr. Patel and Mr. Dovalina. The Policy Committee consists of Mr. Dovalina and Mr. Tanner. The Public Information Committee consists of Mr. Justice and Mr. Ward.

ACTION: It was moved by Mr. Ward and seconded by Mr. Mushtaq to approve the item as submitted. The motion carried unanimously.

**7) ASHBROOK WASH IMPROVEMENTS PROJECT**

Presented by Scott Vogel, P.E. Project Branch Manager

STAFF RECOMMENDS THE FOLLOWING ACTION: Endorse and recommend that the Board of Directors of the Flood Control Advisory District of Maricopa County adopt Resolution FCD2013R005, for the Ashbrook Wash Improvements Project.

Mr. Vogel stated that adoption of the resolution will provide District staff the ability to include funds in the budget, negotiate IGAs, acquire necessary right-of-ways and to obtain engineering and construction services. The project location is within the Town of Fountain Hills, north of Fountain Park. Ashbrook Wash flows across the town from west to east, into the Fort McDowell Yavapai Indian Community and then into the Verde River. The project is located along Saguaro Boulevard. The Fountain Hills Area Drainage Master Study identified flooding problems and proposed solutions. At the request of the Town, District staff prepared a technical memorandum in 2011, which confirmed the potential for flooding. Subsequently, the Town submitted the project through the District's Prioritization process and it was approved through that procedure. A Fountain Hills Town representative, Engineer Randy Harrel was present to respond to questions.

Mr. Vogel identified the project area on the area map. In general, flow comes down Ashbrook Wash and is backed up by the crossings at Bayfield and Saguaro. Flow exits the wash and floods areas to the south. Farther downstream on Ashbrook Wash near a cul de sac, there is a breakout that floods two structures. Approximately 13 homes would potentially be flooded by a 100-year

storm event. The two existing culverts are inadequate for such an event. Channel clearing and channelization is necessary. He presented photos of the channel area.

Board Member Ward referred to the area map, asked about the genesis of the wash and how much water is in it. Mr. Vogel identified the genesis of the wash as being west and north of Fountain of Hills, coming into Fountain Hills through the Golden Eagle Park Dam. Ashbrook Wash is the largest wash in Fountain Hills. During a 100- year peak flow, the amount of water ranges from 2,300 cubic feet per second to 3,400 cubic feet per second.

Board Member Ward asked about what conditions have caused this to be a flooding condition at this time. Mr. Vogel referred to the FEMA delineated flood plain that had identified a smaller extent of flooding than the existing conditions. Since the FEMA delineation was completed, there has been more development in the watershed, which has added to the flow. There has also been a modification to the Golden Eagle Park Dam. The outlet was enlarged to prevent the dam from breaching the emergency spillway in 100-year flows. In addition, the new hydrology currently being used (NOAH 14) serves to increase the flow rate within the wash.

Board Member Ward asked whether staff has considered the possibility of a cost analysis which would compare the cost of purchasing homes and creating basins as opposed to completing the crossings. Mr. Vogel confirmed that this was not something that has been looked at to date. He added that the estimated project cost totals \$1.5 million. Trading this off against buying homes, he surmised that this might not be a feasible approach.

Board Member Ward asked whether there was a public safety issue existing with the crossings, in that they become inundated, creating an unsafe condition for pedestrian and vehicular crossings. Mr. Vogel replied that the major issue was the flooding of the 13 structures identified. Certainly flows penetrate the crossings, which would likely be eliminated by the completion of the project. He added that the Town of Fountain Hills has indicated that there are several crossings within the town that do overflow. However, they stated that this was "Just something that they deal with" during storm events.

Chairman Martin referred to the project cost and asked for confirmation that \$1.5 million was the total cost. Mr. Vogel confirmed that this was the estimated cost for design and construction.

Chairman Martin also asked for confirmation that culverts were being installed and pipes were being removed. Mr. Vogel replied that the project would include the installation of reinforced concrete box culverts as well as some channelization and removal of vegetation.

Chairman Martin asked for identification of the area to be channeled. Mr. Vogel stated that a small amount of channelization and removal of vegetation would be performed near Aloe Drive, where the flow currently overtops the south bank of the wash.

Chairman Martin inquired as to the financial split between Fountain Hills and the District. Mr. Vogel replied that Fountain Hills proposed a 50-50 split, which is negotiated in IGAs, but which would be the likely split.

Board Member Ward asked whether all the topography has been completed for the area. Mr. Vogel answered that cross sections along the channel have been taken as part of the technical memorandum. Not all of the topography has been completed.

Board Member Ward commented that the cost was significant. He reiterated his earlier comment that the purchase of one or two homes and the creation of a basin on the west side of the first crossing might be an option. Mr. Vogel stated that from a technical standpoint, this approach would be a challenge, considering the peak of flow in the area and the ineffectiveness of a basin to lower flows. He added that staff designers could look into the possibility.

Board Member Ward suggested that staff also investigate the reasons why nothing happens during 25 and 50 year events, but once it reaches 100, it inundates. Mr. Vogel stated again that this was something staff could look into.

Board Member Ward commented that there appears to be a build-up of silt and vegetation over the years, which decreases the volume. Mr. Vogel added that he was pleased with the amount of vegetation removal completed by the Town in the wash locations on a yearly basis.

Chairman Martin pointed out that it would be difficult to purchase 13 houses in Fountain Hills for \$120,000 each.

**ACTION:** It was moved by Mr. Larchick and seconded by Mr. Ward to approve the item as submitted. The motion carried unanimously.

**8) FY 2014/2015 CAPITAL IMPROVEMENTS PROGRAM (CIP) PRIORITIZATION PROCEDURE**

Presented by Amir Motamedi, P.E., Hydrology/Hydraulics Branch Manager

**PURPOSE:** Information and discussion item only. No formal action is required.

Mr. Motamedi reviewed that this year, nine submittals were received by different agencies, which represents a decrease from the typical number. The total estimated cost of all potential projects is \$88.7 million. The District's proposed share of costs is \$42.2 million, with the requesting agencies to pay \$46 million. The submitting agencies included Glendale, Peoria, Phoenix and Tempe. Out of the nine projects proposed, staff is recommending that three move forward.

The first two projects were submitted by the City of Phoenix. He reviewed that in the mid-2000s, the Maricopa County Department of Transportation and the Flood Control District designed and constructed the Baseline Road storm drains, which start at 7th Avenue, go west of 43rd Avenue and from there north into the Salt River. In order to keep the pipe sizes in check, the original design had two offline basins to take some of the flows from these pipes. One was located at 27th Avenue and the other at 43rd Avenue. The 43rd Avenue and Baseline Basin is under construction right now. The 27th Avenue and Baseline is fully designed and will be constructed shortly. With this safe outfall in place, the City of Phoenix is focusing on previously planned projects within the watershed to alleviate some of the flooding problems that are happening between South Mountain and the safe outfall on Baseline.

The next project is the 27th Avenue and Dobbins Road Retention Basin. He identified the project location on the map. This project will construct a regional detention basin at 27th Avenue and Dobbins along with a bleed-off storm drain along 27th Avenue. The detention basin will bleed

off north into the Baseline system. The majority of the area to be protected is the Citrus Mountain and Southern Highland subdivisions. The basin will provide a 100-year solution to the problems in the area. The storm drain is proposed as a ten-year system. The total cost of the project is approximately \$6.7 million. The City proposes to pay half of the cost, with the District paying the remainder. O&M would be the responsibility of the City.

Board Member Ward asked why the City would be pursuing this project at this time and whether they were preparing for future development to the north. Mr. Motamedi replied that there are existing problems that the City is seeking to mitigate right now. He added that he was unaware about future planned subdivisions to the north.

The next is also submitted by the City of Phoenix, located at 27th Avenue and Dobbins. It is comprised of a series of smaller basins and storm drains to alleviate the flooding problem, capturing the flow and bleed it off either to the 27th Avenue outfall or north of 7th Avenue to the Baseline Road outfall. Some of the basins will be located on land already owned by the City of Phoenix. The proposed detention basins and storm drains will provide a 100-year solution to flooding in the area. The majority of the area is currently low density residential. The total cost of the project is estimated at \$11.3 million. The City of Phoenix is proposing to split the cost evenly with the District. O&M would be the responsibility of the City.

Board Member Ward commented that Chairman Martin knew the area well. Chairman Martin stated that he was on the subcommittee and voted for the project. He added that he recommended the project, particularly in recognition of the problems in the area.

The City of Tempe submitted the Loma Vista Corridor Drainage Improvement project. The location is Loma Vista, Alameda and Los Feliz, where 21 homes are currently located, some having experienced flooding in the past. In order to alleviate the flooding, the proposal includes the installation of a series of storm drains, moving the flow and placing it in an expanded basin at McClintock High School. The project represents a 100-year solution to the flooding problem in the area. The total cost of the project is estimated at \$2.67 million. Of this, 25 percent would be paid by the City and 75 percent by the District. O&M would be the responsibility of the City. Staff conditionally recommends the project, because as proposed, the ultimate basin is so deep that it does not have a positive outfall. Staff was concerned that this might cause future problems that the City may approach the District with in the future. The conditional approval includes a request to the City and their consultant to look into the issue further and to provide a positive outfall.

Board Member Ward stated that he was familiar with the area and that it was his understanding that there was a storm drain that captured significant amounts of the storm water, carrying the flows to the Salt River. Mr. Motamedi confirmed that there is a storm drain along McClintock and another along Los Feliz. However, they did not have adequate capacity.

Board Member Ward reiterated the stated issue, that the basin has no outfall. He asked whether the dry wells would park the flows adequately. Mr. Motamedi acknowledged that the dry wells could potentially park the flows. He added that the high school is also contemplating using the flows for irrigation purposes.

Chairman Martin asked how many houses the project would effect. Mr. Motamedi reiterated that the estimated number of homes is 21.

Board Member Ward commented that it was tough to have a basin directly adjacent to a school. Mr. Motamedi replied that the District, the City and the school will work together to address the issues.

Mr. Motamedi noted that there were six submittals that staff did not recommend. In general, the flood control component of the submittals were not strong enough to score well.

Two submittals are recommended for CIP consideration. The total cost is \$18 million with the District to pay \$9 million. One of these was conditionally recommended at a total cost of \$2.7 million, of which \$2 million is proposed to be paid by the District.

PURPOSE: Information and discussion item only. No formal action is required.

9) **FY 2013 4<sup>TH</sup> QUARTER FINANCIAL UPDATE**

Presented by Christopher Fazio, Finance Supervisor

PURPOSE: Information and discussion item only. No formal action is required.

Mr. Fazio reminded the Board that the fiscal year ended in June. The fund balance at the beginning of FY 13 was \$95 million. There has been an effort to build the fund balance in anticipation of revenue shortfalls. The fund balance was built largely through excess land sales. The intent was to draw down the fund balance during the course of the year and this was accomplished. The ending fund balance was \$67 million. The fund balance was drawn down more than originally anticipated. The District made a large payment on the Gillespie Dam litigation that was previously unplanned for, at \$19 million.

Revenues came in at 107 percent of budgeted revenues overall. Property tax revenue was the largest component of revenues. IGA and grant revenues came in below budget, largely due to delays in dam rehabilitation projects. There was a total of \$6.2 million in excess land sales that boosted revenues.

For expenses, the CIP represented the largest share of expenditures, totaling \$47 million or 94 percent of the budgeted values. He reviewed operational activities. The largest expenditures were in the maintenance category at \$6.1 million. Infrastructure and land costs map closely to the CIP at \$45 million, or 94 percent of budget. Labor is the second largest component at \$17 million.

Board Member Ward asked for clarification of a reference to San Tan West ADMS, and whether this referred to the mapping of the San Tan watershed. Mr. Fazio replied that this reference was the identification effort for identifying flood hazards in the San Tan West area.

In reviewing FY '14, the beginning fund balance was \$67 million. It is the intention to continue to draw the fund balance down. Budgeted revenues for the year are \$48 million. Expenditures total \$73 million. In addition, there was an additional \$5.4 million payment for disputed interest

on the Gillespie litigation. The projected ending fund balance is \$41 million. Coming out of FY 14, there will be a more limited draw down of the fund balance going into future years.

Chairman Martin asked for the interest rate on the Gillespie balance. Mr. Phillips explained that the \$5.4 million payment addressed the question of the statutory obligation for interest under litigation. The original question was whether it was 10 percent or prime plus one. During this period of time, the legislature changed the rate from 10 percent to prime plus one. The remaining balance was calculated at a rate of four percent until the balance was paid.

Board Member Ward asked who determines the interest rates. Mr. Phillips replied that the legislature set the rate.

Mr. Phillips went on to comment that in terms of the budget, this year and next year are likely critical years, based on current tax revenues prior to the anticipated increases.

PURPOSE: Information and discussion item only. No formal action is required

#### **10) COMMENTS FROM THE CHIEF ENGINEER AND GENERAL MANAGER**

Presented by Timothy S. Phillips, P.E., Chief Engineer and General Manager

PURPOSE: Information and discussion item only. No formal action is required.

Board Member Larchick asked about intentions to fill vacant staff positions. Mr. Phillips replied that there are 258 positions overall. Currently 220 are filled. Vacancies are predominately in the CIP Program and the Floodplain Management Program. Until city cost shares start to come back and revenues increase, these positions will remain vacant.

Board Member Larchick asked whether these positions were professional or non-professional. Mr. Phillips responded that the positions are predominantly professional.

#### **11) SUMMARY OF RECENT ACTIONS**

Presented by Timothy S. Phillips, P.E., Chief Engineer and General Manager

PURPOSE: Information and discussion item only. No formal action is required.

#### **12) OTHER BUSINESS AND COMMENTS**

Presented by: Timothy S. Phillips, P.E., Chief Engineer and General Manager

PURPOSE: Information and discussion item only. No formal action is required.

Board Member Ward asked for an update. Mr. Phillips reviewed that this would be in reference of the Youngtown appeal. District Counsel Wayne Peck informed the board that initially

Youngtown and the homeowners association filed an appeal of the Floodplain Review Board's determination to the Board of Supervisors. This created a number of issues, as it was the first such occurrence. In the meantime, Youngtown filed suit against Salt River Sand and Gravel. The District was not a party to the litigation. It was agreed between Salt River and Youngtown with the District's consent that the appeal to the Board of Directors would wait, because the litigation might resolve all the issues.

Last week, the District was informed that the lawsuit has been settled. Salt River Sand and Gravel has agreed to extend the berm in the area. Their engineer for the project has submitted preliminary data. These mitigation efforts will provide more security to surrounding homeowners. Mr. Phillips added that he had spoken with Fran McCarroll just this morning, the Clerk of the Board of Supervisors, to inform her of the settlement. She will be working with John Paulson, who is representing the Board in the appeal to make contact with the parties to see if they want to continue pursuing the appeal or whether their settlement makes the point moot.

*The meeting adjourned at 2:49 p.m.*